

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Duvick *et al.* Group Art Unit: (not yet assigned)  
 Appl. No.: (not yet assigned) Examiner: (not yet assigned)  
 Filed: June 15, 2001  
 For: COMPOSITIONS AND METHODS FOR FUMONISIN DETOXIFICATION

1c973 U.S. PTO  
 09/882694  
 06/15/01

June 15, 2001

Box Patent Application  
 Commissioner for Patents  
 Washington, DC 20231

**INFORMATION DISCLOSURE STATEMENT  
 CITATION UNDER 37 C.F.R. § 1.97**

Sir:

Attached is a list of documents on Form PTO-1449. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

All items are attached except those that were supplied in parent Application No. 09/351,224 filed July 12, 1999. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,

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<p>"Express Mail" Mailing Label Number: EL780617544US                  Date of Deposit: June 15, 2001</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231.</p> <p><i>Rebecca Kerney</i>                  Rebecca Kerney</p>	<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231, on June 15, 2001.</p> <p><i>N/A</i>                  Rebecca Kerney</p>
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Substitute for Form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if known</b>			
				Application Number		(not yet assigned)	
				Filing Date		June 15, 2001	
				First Named Inventor		Duvick	
				Group Art Unit		(not yet assigned)	
				Examiner Name		(not yet assigned)	
Sheet	1	of	7	Attorney Docket Number		35718/208255 (5718-111C)	

  

U. S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant Of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1.	5,178,863		Toyoda <i>et al.</i>	01-12-1993	Whole document
	2.	5,639,949		Ligon <i>et al.</i>	06-17-1997	Whole document
	3.	5,716,820		Duvick <i>et al.</i>	02-10-1998	Whole document
	4.	5,792,931		Duvick <i>et al.</i>	08-11-1998	Whole document
	5.	5,877,273		Hance <i>et al.</i>	03-02-1999	Whole document

  

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code (if known) <sup>5</sup>				
	6.	EP	0712932A2		Sumitomo Chemical Company, Limited	05-22-1996	Whole document	
	7.	WO	95/06121		Biomay Produktions – Und Handelsgesellschaft M.B.H.	03-02-1995	pp. 8-9	
	8.	WO	95/06128		Dekalb Genetics Corporation	03-02-1995	Whole document	
	9.	WO	96/06175		Pioneer Hi-Bred International, Inc.	02-29-1996	Whole document	
	10.	WO	96/12414		Ing. Erich Erber Kommanditge-Sellschaft	05-02-1996	Abstract	
	11.	WO	96/20595		Proguard, Inc.	07-11-1996	Whole document	
	12.	WO	99/02703		Pioneer Hi-Bred International, Inc.	01-21-1999	Whole document	
	13.	WO	99/10514		North Carolina State University	03-04-1999	Whole document	
	14.	WO	99/32505		Eli Lilly and Company	07-01-1999	Whole document	

  

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<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

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	15.	ANZAI <i>et al.</i> (1989) "Transgenic Tobacco Resistant To A Bacterial Disease By The Detoxification Of A Pathogenic Toxin", <i>Mol Gen Genet</i> 219:492-494, ISSN: 0026-3924, XP002083624.	
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	17.	ARMENGAUD (September 17, 1998) "Sphingomonas sp. ORFs G1, G3 to G8 and EDO2 gene", EMBL Accession No:AJ223219, XP002133317, see nts 3310-4600.	
	18.	ARMENGAUD (November 1, 1998) "Flavin-binding monooxygenase-like", PFAM Accession No:PF00743, XP002133310.	
	19.	ARMENGAUD (November 1, 1998) "Putative Monooxygenase", SWISSPROT Accession No:086908, XP002133318.	
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	21.	BENNETZEN <i>et al.</i> (1992) "Approaches and Progress in the Molecular Cloning of Plant Disease Resistance Genes", <i>Genetic Engineering</i> 14:99-124.	
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	25.	BLATTNER <i>et al.</i> (October 1, 1996) "Hypothetical transcriptional regulator in MODC-BIOA intergenic region", SWISSPROT Accession No:p52696, XP002121103 the whole document.	
	26.	BLATTNER <i>et al.</i> (January 29, 1997) "Escherichia coli K-12 MG1655 section 69 of 400 of the complete genome", EMBL Accession No:AE000179, XP002122134 see complement (4647..5663).	
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	27.	BOWEN <i>et al.</i> (May 5, 1997) "Cloning and Phylogenetic Analysis of the Genes Encoding Acetohydroxyacid Synthase from the Archaeon <i>methanococcus aeolicus</i> ", <i>Gene</i> 188:77-84, XP002130949 figure 2 and EMBL Accession No:U35458 (May 5, 1997).	
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	35.	COLE <i>et al.</i> (May 10, 1996) "Mycobacterium tuberculosis H37Rv complete genome; segment 41/162", EMBL Accession No:Z73101, XP002130945, the whole document and "Probable Monooxygenase RV0892 (EC 1.14.13.*)," SWISSPROT Accession No:Q10532 (October 1, 1996).	
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	37.	COLE <i>et al.</i> (January 15, 1998) "Mycobacterium tuberculosis H37Rv complete genome; segment 132/162", EMBL Accession No:AL021287, XP002130944, the whole document and TREMBL Accession No:053294, (June 1, 1998).	
	38.	COLE <i>et al.</i> (February 22, 1998) "Mycobacterium tuberculosis H37Rv complete genome; segment 33/162", EMBL Accession No:AL021943, XP002130936, the whole document.	
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	39.	COLE <i>et al.</i> (February 22, 1998) "Mycobacterium tuberculosis H37Rv complete genome; segment 29/162", EMBL Accession No:AL021942, XP002130940, the whole document.			
	40.	COLE <i>et al.</i> (March 12, 1998) "Mycobacterium tuberculosis H37Rv complete genome; segment 155/162", EMBL Accession No:AL022121, XP002130947, the whole document.			
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	44.	DU (December 15, 1996) "Mycobacterium tuberculosis sequence from clone yl75", EMBL Accession No:AD000015, XP002121097, see sequence 6027-6064.			
	45.	DUVICK <i>et al.</i> (1998) "Detoxification Of Mycotoxins In Planta As A Strategy For Improving Grain Quality And Disease Resistance: Identification Of Fumonisin-Degrading Microbes From Maize", <i>Molecular Genetics of Host-Specific Toxins In Plant Disease</i> , Proceedings of the 3 <sup>rd</sup> Tottori International Symposium Daisen, Tottori, Japan August 24-29, 1997, pp. 369-381, ISBN: 0-7923-4981-4, 1998, XP002121275.			
	46.	FREIBERG <i>et al.</i> (October 1, 1996) "Putative transcriptional regulator Y4SM (ORF-1)", SWISSPROT Accession No:P50337, XP002121106, the whole document.			
	47.	GHOSH <i>et al.</i> (January 30, 1995) "A. brasiliense carR gene", EMBL Accession No:X70360, XP002122135 the whole document and Chattopadhyay <i>et al.</i> (November 1, 1996) "CarR Gene", TREMBL Accession No:Q43901, XP002121105 the whole document.			
	48.	HELLER <i>et al.</i> (November 18, 1996) "E. coli btuB gene for the vitamin B12 receptor protein BtuB", EMBL Accession No:M10112, XP002130934, the whole document and SWISSPROT Accession No:P06129, (January 1, 1998).			
	49.	IIMURA (May 31, 1995) "Msx-2 homolog [human, dental pulp-derived cells, mRNA, 2065 nt]", EMBL Accession No:S75361, XP002130932, the whole document.			
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	50.	ISHIGURO <i>et al.</i> (April 22, 1989) "Transposon Tn4311 (from E. coli K-12) citrate utilization protein citA and citB genes, complete cds.", EMBL Accession No:M22041, XP002130953, the whole document.			
	51.	ISHIHARA <i>et al.</i> , AB#006450.			
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	58.	MARTINEZ-SALAZAR <i>et al.</i> (April 1996) "Characterization of the Genes Coding for the Putative Sigma Factor AlgU and Its Regulators MucA, MucB, MucC, and MucD in <i>Azotobacter vinelandii</i> and Evaluation of Their Roles in Alginate Biosynthesis", <i>Journal of Bacteriology</i> 178(7):1800-1808, XP002130939.			
	59.	MOLNAR <i>et al.</i> (October 29, 1992) "Streptomyces sp. Genes for hypothetical proteins", EMBL Accession No:D13457, XP002130955 the whole document.			
	60.	MORII <i>et al.</i> (June 1, 1998) "Flavin-binding monooxygenase-like" PFAM Accession No:PF00743, XP002133310.			
	61.	MORII <i>et al.</i> (June 1, 1998) "Steroid Monooxygenase", SWISSPROT Accession No:050641, XP002133312.			
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	62.	MURAKAMI <i>et al.</i> (January 21, 1999) "Cloning And Sequence Analysis Of Two Catechol-Degrading Gene Clusters From The Aniline-Assimilating Bacterium <i>Frateuria</i> Species ANA-18", <i>Gene</i> 226(2):189-198	
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	71.	PLUNKETT <i>et al.</i> (December 30, 1994) "Escherichia coli K-12 chromosomal region from 67.4 to 76.0 minutes", EMBL Accession No:U18997, XP002130937, the whole document.	
	72.	RAKIN <i>et al.</i> (1994) "The Pesticin Receptor of <i>Yersinia enterocolitica</i> : A Novel Virulence Factor With Dual Function", <i>Molecular Microbiology</i> 13(2):253-263.	
	73.	SCHAAP <i>et al.</i> (July 24, 1998) "Agaricus bisporus aldA and echA genes", EMBL Accession No. Y17825, Abstract No. XP002138292.	
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	74.	SCHMIDT <i>et al.</i> (1990) "Cloning and Nucleotide Sequence Of The <i>crtI</i> Gene Encoding Phytoene Dehydrogenase From The Cyanobacterium <i>Aphanocapsa</i> PCC6714", <i>Gene</i> 91(1):113-117.	
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